

#8
4/30/02

Practitioner's Docket No. M-10697 WO

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

☒ In re application of:

Application No.: 0 /

Group No.

Filed: October 26, 2001

Examiner:

For: Overlay Error Detection

Inventors: Nikoonahad et al.

☐ Patent No.*:

Issue date:

*NOTE: Preferably also insert inventor's name and invention title.

Assistant Commissioner for Patents
Washington, D.C. 20231

RECEIVED
17 APR 2002
Legal Staff
International Division

PETITION TO ACCORD FILING DATE
FOR EXPRESS MAIL CORRESPONDENCE NOT RECEIVED BY P.T.O.
(37 C.F.R. § 1.10(e))

NOTE: See § 513, M.P.E.P., 7th Edition.

1. This is a petition to accord the correspondence in the above-identified

☒ application

☐ patent

a filing date of Oct. 26, 2001 (Date), which is the date the correspondence was deposited with the U.S.P.S. with proper postage.

CERTIFICATION UNDER 37 C.F.R. §§ 1.8(a) and 1.10*

(When using Express Mail, the Express Mail label number is mandatory;
Express Mail certification is optional.)

I hereby certify that, on the date shown below, this correspondence is being:

MAILING

☐ deposited with the United States Postal Service in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231

37 C.F.R. § 1.8(a)

37 C.F.R. § 1.10 *

☐ with sufficient postage as first class mail.

☐ as "Express Mail Post Office to Addressee"

Mailing Label No. _____ (mandatory)

X HAND DELIVERED

TRANSMISSION

☐ facsimile transmitted to the Patent and Trademark Office, (703) _____

Date:

4/16/02

Signature

James S. Hsue, Agent

(type or print name of person certifying)

Reg. No. 29,545

* Only the date of filing (§ 1.6) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under § 1.8 continues to be taken into account in determining timeliness. See § 1.703(f). Consider "Express Mail Post Office to Addressee" (§ 1.10) or facsimile transmission (§ 1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.

RECEIVED
APR 24 2002
TECHNOLOGY CENTER 2800

2. Submitted herewith is the statement of Michal Weinstein as to when the discrepancy was discovered and establishing that this petition is being filed promptly thereafter. 37 C.F.R. § 1.10(e)(1).

3. The following attached papers are those required by 37 C.F.R. § 1.10(e)(3) for this petition:

- ☒ A true copy of the originally-deposited paper(s) or fee(s).
- ☐ A true copy of the returned Post Card showing receipt of these papers by the P.T.O.
- ☐ A true copy of the canceled check showing the date for the fee payment by this correspondence.
- ☐ A true copy of the deposit account statement showing the date for the fee payment by this correspondence.
- ☒ A true copy of the "Express Mail" mailing label showing the "date-in."
- ☐ A true copy of the Express Mail Log that came into being within one business day of the deposit of the correspondence in the "Express Mail Post Office to Addressee" service of the U.S.P.S.
- ☐ The log indicating that the correspondence was deposited prior to the last scheduled pickup for that day.
- ☐ Statement(s) from relevant U.S.P.S. official(s).
- ☒ Other: A true copy of the U.S. Post Office sales receipt showing receipt of Express Mail #E1896776841 and payment thereof

x Statement by person who prepared the PCT application for mailing by Express Mail #EL896776841

X A copy of the power of attorney appointing agent and, also attached hereto, is a statement, signed by the person who deposited the documents as "Express Mail" with the USPS, setting forth the date and time of deposit, and declaring that the copies of the correspondence, "Express Mail" mailing label, and returned postcard receipt accompanying this petition are true copies of the correspondence, mailing label and returned postcard receipt originally mailed or received.

The Director is hereby authorized to charge any fee which may be required to Deposit Account No. 19-2386. A duplicate copy of this petition is enclosed.

Reg. No.: 29,545

Tel. No.: (415) 217-6252

Customer No.:



27869

PATENT TRADEMARK OFFICE

SIGNATURE OF PRACTITIONER

James S. Hsue

(type or print name of practitioner)

Skjerven Morrill LLP

Three Embarcadero Center, 28th Floor

P.O. Address

San Francisco, CA 94111